

REMARKS

Claims 1, 11 and 12 were pending and examined in the outstanding Office Action. Claims 2-10 and 13-14 were previously canceled. By virtue of the instant Reply, claims 1 and 12 are amended to correct typographical errors. No new claims are added, and no claims are canceled. Accordingly, claims 1, 11 and 12 remain pending. Support for the claim amendments can be found throughout the instant application and at least in the original claims. Accordingly, Applicant submits no new matter is added herein.

Objections to the Specification

In the Non-Final Office Action dated December 18, 2009, the Specification was objected to for minor informalities. The objections to the Specification were subsequently overcome by Applicant.

Applicant respectfully thanks the Examiner for withdrawing the Objections to the Specification. However, to make the record clear, Applicant again requests the Examiner confirm the specification under examination is the Substitute Specification submitted on June 1, 2006.

Information Disclosure Statement

The Examiner indicates the Information Disclosure Statements filed on July 21, 2010 and September 15, 2010 fail to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP §609 because it does not include a concise explanation of the relevance of each reference that is not in the English language.

With respect to the Japanese patent documents, Applicant respectfully disagrees since an English language abstract for each reference was included with the IDS. As noted in MPEP §609.04(a), an English language abstract may be used as a concise explanation of a non-English language reference. To expedite prosecution of this application, Applicant herein submits an IDS listing the Japanese patent documents and includes a copy of the English language abstract for each reference, thereby fulfilling the requirement of providing a concise explanation of a non-English language reference.

Regarding the Reasons for Rejection in Japanese Patent Application Nos. 2004-222090 and 2004-222095 as cited on the previously submitted IDS, Applicant submits the presently submitted IDS also lists the Reasons for Rejection and includes English translations of the Reasons for Rejections. Accordingly, Applicant requests the Examiner consider the references submitted on the Information Disclosure Statement, enter the same into the file and withdraw the instant objection.

Claim Rejections Under 35 USC §102

Claim 1 is rejected under 35 USC §102(b) as allegedly anticipated by U.S. Patent No. 5,492,219 to Stupar. Applicant respectfully disagrees and traverses the instant rejection.

Stupar relates to a plural compartment package for housing and storing at least two different materials which are to be mixed together so as to form a compound mixture at the time of use comprising the first, second and third sheets of film material with the third sheet of film interposed between the first and second sheets of film. *See* Stupar at Abstract. As shown in FIG. 2 of Stupar, the package 20 includes three flexible sheets of film, 26, 28 and 30, which are joined together so as to form a plurality of separated compartments 32 and 34. More particularly, the package 20 is divided into two separate compartments 32 and 34 wherein the compartment 34 is substantially larger than the compartment 32. Stupar at col. 5, lines 38-44.

Instantly presented claim 1 recites, *inter alia*, a multi-chamber container that accommodates a plurality of agents, comprising: an outer container body with an inner container body disposed therein, the inner container body including a plurality of filling chambers to fill agents.

Applicant submits that Stupar fails to disclose or suggest the instantly claimed multi-chamber container. Specifically, Stupar fails to disclose or even suggest, *inter alia*, a multi-chamber container that accommodates a plurality of agents and includes an outer container body with an inner container body disclosed therein, the inner container body including a plurality of filling chambers to fill agents as required in the currently pending claims.

In the outstanding Office Action, the Examiner fails to cite to any portion of Stupar that allegedly discloses or suggests both an outer container body and an inner container body. Instead, the Examiner refers to the three separate sheets 26, 28 and 30, which are joined together

to form separated compartments 32 and 34. Applicant submits the three separate sheets 26, 28 and 30 which form separated compartments 32 and 34 as shown and described in Stupar do not teach or suggest the instantly claimed multi-chamber container having an outer container body with an inner container body disposed therein.

Additionally, Applicant further submits the Examiner also fails to cite any portion of Stupar that allegedly discloses or suggests an inner body having a plurality of filling chambers. It is quite clear that Stupar does not include both an outer container body and an inner container body. As such, Stupar also fails to disclose or suggest an inner container body that includes a plurality of filling chambers.

Since Stupar is seen to simply disclose a plural compartment package for housing and storing at least two different materials that includes first, second, and third sheets of film material with the third sheet of film interposed between the first and second sheets of film, Applicant submits that Stupar does not disclose or suggest the instantly claimed multi-chamber container having an outer container body and an inner container body. Accordingly, the instant claims are not anticipated by, nor rendered obvious over, Stupar. Applicant therefore respectfully requests withdrawal of the instant rejection.

Claim Rejections under 35 USC §103

Claims 11 and 12 are rejected under 35 USC §103(a) as allegedly being unpatentable over Stupar as applied to claim 1 above and further in view of U.S. Patent Application Publication No. 2004/0188281 to Iwasa et al.

Regarding claim 11, the Examiner alleges that “Stupar discloses the claimed invention except a caution member to check opening between the filling chambers. Iwasa teaches a caution member [352, fig 12]. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Stupar’s multi-chamber container with a caution member as taught by Iwasa. . . .” Office Action at p. 5. Regarding claim 12, the Examiner alleges “Stupar modified in view of Iwasa discloses the caution member is attached to near the communication portion [3, fig 12], so that the caution member drops by expanding [when one chamber of the container is squeezed it will expand the sealed area between the two chambers of the closed container,

column 11:20-54] the folded multi-chamber container in the use mode of the multi-chamber container.” *Id.* Applicant respectfully disagrees and traverses the instant rejection.

Stupar is discussed in detail above. Iwasa et al. is directed to a medicine bag used in the medical field or the like. Specifically, the medicine bag of Iwasa et al. is used by providing a weak seal portion that divides its bag body into a plurality of division spaces, removing the sealing of the weak seal portion adjacent to a specific division space by increasing the internal pressure of that division space and mixing a medicine stored in a predetermined division space. Iwasa et al. at para. [0002].

Iwasa et al. does not remedy the lack of disclosure of Stupar since Iwasa et al. fails to disclose or suggest a multi-chamber container as instantly claimed having, *inter alia*, an outer container body with an inner container body disposed therein, the inner container body including a plurality of filling chambers to fill agents. Accordingly, since claims 11 and 12 depend on claim 1, for the reasons discussed above with respect to claim 1, claims 11 and 12 are not rendered obvious by Stunnell, Iwasa et al., or any combination thereof. Therefore, Applicant respectfully requests reconsideration and withdrawal of the instant rejection.

Should the Examiner have any questions regarding this Amendment and Reply, Applicant respectfully requests that the Examiner contact Applicant’s representative at the phone number listed below. While Applicant believes that no fees are due with the submission of this Amendment and Reply, please charge any deficiencies in fees to Deposit Account No. 503342.

Respectfully submitted,

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